

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-3. (Cancelled)

4. (Currently Amended)      The assembly of claim + 28, wherein the first anchoring device is ~~further~~ adapted for linear movement in an anterior-posterior direction.

5-6. (Cancelled)

7. (Currently Amended)      The assembly of claim + 28 further comprising:  
   an alignment guide interposed between the first anchoring device and a second anchoring devices for sagittally aligning the first and second anchoring devices.

8. (Currently Amended)      The assembly of claim 7 wherein the alignment guide comprises an aperture through which ~~the~~ a fastener may pass to fasten to the first vertebra.

9. (Previously Presented)      The assembly of claim 8 wherein the first anchoring device comprises a restraint pin deployable into the first vertebra as the fastener is passed through the aperture and fastened to the first vertebra.

10. (Currently Amended)      The assembly of claim + 28 wherein the first anchoring device comprises an adjustable seat for leveling the anchoring devices.

11. (Currently Amended)      The assembly of claim + 28 further comprising:  
   a measurement instrument attached to the first anchoring device.

12. (Currently Amended)      The assembly of claim + 28 further comprising:

a shaping instrument attached to the first anchoring device.

13. (Withdrawn) A method of preparing an intervertebral disc space, between first and second vertebral bodies of a vertebral column, to receive an intervertebral prosthesis, the method comprising:

fixedly attaching first and second anchoring devices to the first and second vertebral bodies, respectively;

attaching a distraction assembly to the first and second anchoring devices, wherein a first arm of the distraction assembly is attached to the first anchoring device and a second arm of the distraction assembly is attached to the second anchoring device;

moving the first and second arms of the distraction assembly, in parallel, relative to one another;

independently moving the first and second anchoring devices relative to the first and second arms, respectively.

14. (Withdrawn) The method of claim 13 further comprising shaping a first endplate of the first vertebral body independently of shaping a second endplate of a second vertebral body.

15. (Withdrawn) The method of claim 14 further comprising attaching a shaping instrument to the first distractor arm prior to shaping the first endplate.

16. (Withdrawn) The method of claim 13 wherein the first anchoring device independently pivots about a rotation pin in the first distractor arm.

17. (Withdrawn) The method of claim 13 wherein the first anchoring device independently pivots about a connector extending from the first distractor arm.

18. (Withdrawn) The method of claim 13 wherein the positioning of the first and second

anchoring devices is in a sagittal plane.

19. (Withdrawn) The method of claim 18 wherein the independent movement of the first and second anchoring devices is in the sagittal plane.

20. (Withdrawn) The method of claim 13 wherein the first and second anchoring devices are fixedly attached to the first and second bodies equidistant from the center of the intervertebral disc space.

21. (Cancelled)

22. (Currently Amended) The assembly of claim 21 ~~34~~ further comprising an alignment guide extending between the first anchoring device and a second anchoring devices.

23. (Previously Pending) The assembly of claim 22 further comprising a milling instrument pivotally attached to the first anchoring device.

24. (Currently Amended) A system comprising:

a first distracting arm including a side wall through which an elongated slot extends, the side wall surrounding an internal bore in communication with the elongated slot;

an anchoring device adapted to receive a bone fastener and including a connecting projection sized to slide within the internal bore and adapted for pivotal motion within the elongated slot and through the side wall; and

a second distracting arm in parallel relationship to the first distracting arm.

25. (Cancelled)

26. (Currently Amended) The system of claim 24 wherein the first distracting arm further comprises a pin about which the anchoring device is adapted to both pivot and linearly translate.
27. (Previously Presented) The system of claim 26 wherein the anchoring device includes a C-shaped opening adapted to receive the pin.
28. (New) An assembly for preparing an intervertebral disc space between first and second vertebrae to receive a prosthesis, the assembly comprising:
- a distractor including a first distraction arm and a second distraction arm, the first distraction arm including,
    - a hollow shaft portion closed at a distal end and open at a proximal end to an elongated passage extending through a first set of opposite side walls of the first distraction arm and
    - a pin extending across the elongated passage, between a second set of opposite side walls of the first distraction arm; and
    - a first anchoring device including a connecting post and a pivot mechanism movably attached to the pin,
  - wherein the pivot mechanism is movable about the pin between a first position in which the connecting post extends into the hollow shaft portion of the first distraction arm and a second position in which the connecting post extends out of the elongated passage.
29. (New) The assembly of claim 28 wherein the pivot mechanism is a C-shaped bracket.
30. (New) The assembly of claim 28 wherein the first anchoring device further includes a through bore adapted to receive a fastener.

31. (New) The assembly of claim 28 wherein the hollow shaft portion extends between the elongated passage and a cross bar extending between the first and second distraction arms.

32. (New) The assembly of claim 28 wherein in the first position, the connecting post is aligned with an axis extending between the distal and proximal ends of the hollow shaft portion and wherein in the second position, the connecting post extends at an angle oblique to the axis extending between the distal and proximal ends of the hollow shaft portion.

33. (New) The assembly of claim 28 wherein in the first position, the connecting post is slidably engaged with the hollow shaft portion of the first distraction arm.

34. (New) An assembly for preparing an intervertebral disc space between first and second vertebrae to receive a prosthesis, the assembly comprising:

a distractor comprising a first distraction arm and a second distraction arm, wherein the first distraction arm comprises a hollow bore, having a first end and a second end between which extends a first axis, and a pin disposed perpendicularly to the first axis and

a first anchoring device movably engaged with the first distraction arm, the first anchoring device comprising

a first section including a connection post, having a distal end and a proximal end between which extends a second axis, the connection post slidable within the hollow bore and

a second section including a through passage adapted to receive a vertebral fastener, the through passage including a first opening and a second opening between which extends a third axis,

wherein the second axis remains parallel with the third axis as the first anchoring device movably engages the first distraction arm.

35. (New) The assembly of claim 34 wherein the first anchoring device further comprises

an opening through which the pin of the first distraction arm extends to movably attach the first distraction arm to the first anchoring device.

36. (New) The assembly of claim 35 wherein the opening is a C-shaped opening.

37. (New) The assembly of claim 34 wherein the first section is integrally formed with the second section.

38. (New) The assembly of claim 34 further comprising a second anchoring device movably engaged with the second distraction arm and adapted to move independently of the first anchoring device in at least one direction.